



AGENDA ITEM REQUEST

ORIGINATING DEPARTMENT: FINANCE/FIRE RESCUE

ROUTING:

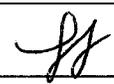
CITY MANAGER: _____ DATE: 7/8/2009 _____

CITY MANAGER APPROVAL TO BEGIN PROCEDURES.

SIGNATURE: _____ 

PURCHASING: _____ DATE: _____

PURCHASING APPROVAL: _____ SIGNATURE: _____

LEGISLATIVE AIDE: _____ DATE: 7/8/09 

CITY ATTORNEY: _____ DATE: 7/8/09 

ITEM REQUEST:

A RESOLUTION OF THE CITY OF SUNRISE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICE, FACILITIES AND PROGRAMS IN THE CITY OF SUNRISE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

FUNDING SOURCE:
NOT APPLICABLE

AMOUNT: NOT APPLICABLE

MANAGEMENT & BUDGET DIRECTOR
SIGNATURE: _____

ATTACHED EXHIBITS:

PROPOSED PRELIMINARY RESOLUTION

SUMMARY EXPLANATION/BACKGROUND INFORMATION/JUSTIFICATION:

THE PRELIMINARY ASSESSMENT RESOLUTION ESTABLISHES THE FISCAL YEAR 2009/2010 PROPOSED RATES FOR FIRE RESCUE ASSESSMENTS, DIRECTS PREPARATION OF AN ASSESSMENT ROLL AND DIRECTS NOTIFICATION TO ALL PROPERTY OWNERS REGARDING THE ASSESSMENTS, THE ASSESSMENT RATES AND NOTICE OF THE UPCOMING PUBLIC HEARING SCHEDULED FOR SEPTEMBER 15, 2009, AT 5:30 P.M., AT WHICH TIME THE CITY COMMISSION WILL CONSIDER THE ADOPTION OF A FINAL ASSESSMENT RESOLUTION THAT CONFIRMS THE ASSESSMENT. THE CURRENT AVERAGE FIRE RESCUE ASSESSMENT RATE IN BROWARD COUNTY IS \$155.55. THE CITY'S CURRENT RESIDENTIAL RATE AND PROPOSED RATE FOR FISCAL YEAR 2009/2010 OF \$139.50 PER DWELLING COVERS 56% OF THE CURRENT NON-MEDICAL FIRE RESCUE COSTS.

DEPARTMENT HEAD RECOMMENDATION:

APPROVAL

PERSON WITH ADDITIONAL INFORMATION:

NAME: NORM RYNNING PHONE: EXT. 3400

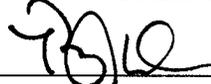
DEPARTMENT HEAD SIGNATURE: 
NORM RYNNING, FIRE CHIEF

NAME: LAURA TOEBE PHONE: EXT. 3217

DEPARTMENT HEAD SIGNATURE: 
LAURA TOEBE, FINANCE DIRECTOR

CITY MANAGER RECOMMENDATIONS:

APPROVED FOR AGENDA PLACEMENT.

SIGNATURE:  (CITY MANAGER)

SUNRISE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SUNRISE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF SUNRISE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the provisions of Ordinance No. 829-X, as amended by Ordinance No. 829-X-00-A, (the "Ordinance"), Resolution No. 95-251-96-A (the "Initial Assessment Resolution"), Resolution No. 95-251-96-B (the "Final Assessment Resolution"), sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS. This Resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance which initiates the annual process for updating the Assessment Roll and directs the reimposition of Fire Rescue Assessments for the Fiscal Year beginning October 1, 2009. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa.

SECTION 3. PROVISION AND FUNDING OF FIRE RESCUE SERVICES.

(A) Upon the imposition of Fire Rescue Assessments for fire rescue services, facilities, or programs against Assessed Property located within the City, the City shall provide fire rescue services to such Assessed Property. A

portion of the cost to provide such fire rescue services, facilities, or programs shall be funded from proceeds of the Fire Rescue Assessments. The remaining cost required to provide fire rescue services, facilities, and programs shall be funded by available City revenues other than Fire Rescue Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the City will be benefited by the City's provision of fire rescue services, facilities, and programs in an amount not less than the Fire Rescue Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 4. IMPOSITION AND COMPUTATION OF FIRE RESCUE ASSESSMENTS.

Fire Rescue Assessments shall be imposed against all Tax Parcels within the Property Use Categories. Fire Rescue Assessments shall be computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.

The legislative determinations of special benefit and fair apportionment embodied in the Initial Assessment Resolution and Final Assessment Resolution are affirmed and incorporated herein by reference.

SECTION 6. COST APPORTIONMENT AND PARCEL APPORTIONMENT METHODOLOGIES.

The Cost Apportionment and Parcel Apportionment as explained and calculated in the Initial Assessment Resolution and Final Assessment Resolution and in the applicable explanatory appendices incorporated therein are affirmed and incorporated herein by reference.

SECTION 7. DETERMINATION OF FIRE RESCUE ASSESSED COSTS; ESTABLISHMENT OF ANNUAL FIRE RESCUE ASSESSMENT RATES.

(A) The Fire Rescue Assessed Costs to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year commencing October 1, 2009, is the amount determined in the Estimated Fire Rescue Assessment Rate Schedule, attached hereto as Appendix A. The approval of the Estimated Fire Rescue Assessment Rate Schedule by the adoption of this Preliminary Rate Resolution determines the amount of the

Fire Rescue Assessed Costs. The remainder of such Fiscal Year budget for fire rescue services, facilities, and programs shall be funded from available City revenue other than Fire Rescue Assessment proceeds.

(B) The estimated Fire Rescue Assessments specified in the Estimated Fire Rescue Assessment Rate Schedule are hereby established to fund the specified Fire Rescue Assessed Costs determined to be assessed in the Fiscal Year commencing October 1, 2009. No portion of such Fire Rescue Assessed Costs are attributable to capital improvements that are funded by impact fee proceeds.

(C) The estimated Fire Rescue Assessments established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the City Clerk in the preparation of the updated Assessment Roll for the Fiscal Year commencing October 1, 2009, as provided in Section 8 of this Preliminary Rate Resolution.

SECTION 8. ANNUAL ASSESSMENT ROLL.

(A) The City Clerk is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year commencing October 1, 2009, in the manner provided in the Ordinance. The updated Assessment Roll shall include all Tax Parcels within the Property Use Categories. The City Clerk shall apportion the estimated Fire Rescue Assessed Cost to be recovered through Fire Rescue Assessments in the manner set forth in this Preliminary Rate Resolution. A copy of this Preliminary Rate Resolution, the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, documentation related to the estimated amount of the Fire Rescue Assessed Cost to be recovered through the imposition of Fire Rescue Assessments, and the updated Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection.

The foregoing shall not be construed to require that the updated Assessment Roll proposed for the Fiscal Year beginning October 1, 2009, be in printed form if the amount of the Fire Rescue Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Fire Rescue Assessments for fire rescue services as set forth in the Initial Assessment Resolution, the Final Assessment Resolution and this Preliminary Rate Resolution is a fair and reasonable

method of apportioning the Fire Rescue Assessed Cost among parcels of Assessed Property located within the City.

SECTION 9. AUTHORIZATION OF PUBLIC HEARING.

There is hereby established a public hearing to be held at 5:30 p.m. on September 15, 2009, in the City Commission Chambers of City Hall, 10770 W. Oakland Park Boulevard, Sunrise, Florida, at which time the City Commission will receive and consider any comments on the Fire Rescue Assessments from the public and affected property owners and consider imposing Fire Rescue Assessments for the Fiscal Year beginning October 1, 2009, and collecting such assessments on the same bill as ad valorem taxes.

SECTION 10. NOTICE BY PUBLICATION.

The City Clerk shall publish a notice of the public hearing authorized by Section 9 of this Preliminary Rate Resolution in the manner and time provided in Section 2.04 of the Ordinance. The notice shall be published no later than August 22, 2009, in substantially the form attached hereto as Appendix B.

SECTION 11. NOTICE BY MAIL.

Pursuant to Section 200.069(11)(a), Florida Statutes, and with agreement of the Property Appraiser, the City Commission elects to combine notice of the public hearing authorized by Section 9 hereof with the truth-in-millage notification required pursuant to Section 200.069, Florida Statutes. Such mailed notice shall be in the form required by Section 200.069(11)(a), Florida Statutes and provide all of the information required by the Uniform Assessment Collection Act and the Ordinance necessary to impose Fire Rescue Assessments for the Fiscal Year beginning October 1, 2009.

SECTION 12. APPLICATION OF ASSESSMENT PROCEEDS.

Proceeds derived by the City from the Fire Rescue Assessments will be used for the provision of fire rescue services, facilities, and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire rescue services, facilities, and programs.

SECTION 13. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2009.

Mayor Roger B. Wishner

Authentication:

Felicia M. Bravo
City Clerk

MOTION: _____
SECOND: _____

ALU: _____
ROSEN: _____
SCUOTTO: _____
SOFIELD: _____
WISHNER: _____

Approved by the City Attorney
as to Form and Legal Sufficiency.

Stuart R. Michelson

APPENDIX A

ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE

SECTION A-1. DETERMINATION OF FIRE RESCUE ASSESSED COSTS.

The estimated Fire Rescue Assessed Costs to be assessed for the Fiscal Year commencing October 1, 2009, is \$7,111,271.

SECTION A-2. ESTIMATED FIRE RESCUE ASSESSMENTS. The

estimated Fire Rescue Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Rescue Assessed Cost for the Fiscal Year commencing October 1, 2009, are hereby established as follows for the purpose of this Preliminary Rate Resolution:

RESIDENTIAL PROPERTY USE CATEGORIES	Rate Per Dwelling Unit			
Single Family	\$139.50			
NON-RESIDENTIAL PROPERTY USE CATEGORIES	Building Classification (in square foot ranges)	Commercial	Industrial/Warehouse	Institutional
	< 1,999	\$245	\$57	\$601
	2,000 - 3,499	489	114	1,202
	3,500 - 4,999	856	200	2,101
	5,000 - 9,999	1,223	284	3,002
	10,000 - 19,999	2,445	569	6,001
	20,000 - 29,999	4,889	1,137	12,002
	30,000 - 39,999	7,333	1,704	18,002
	40,000 - 49,999	9,777	2,273	24,002
	> 50,000	12,221	2,841	30,003

APPENDIX B

FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 22, 2009.

[INSERT MAP OF CITY]

**NOTICE OF HEARING TO REIMPOSE AND
PROVIDE FOR COLLECTION OF FIRE RESCUE SPECIAL ASSESSMENTS**

Notice is hereby given that the City Commission of the City of Sunrise will conduct a public hearing to consider reimposing fire rescue special assessments for the provision of fire rescue services within the City of Sunrise for the Fiscal Year beginning October 1, 2009.

The hearing will be held at 5:30 p.m. on September 15, 2009, in the City Commission Chambers of City Hall, 10770 W. Oakland Park Boulevard, Sunrise, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. Persons with disabilities requiring accommodations in order to participate should contact the City Commission Office at (954) 746-3250 at least 24 hours in advance to request such accommodations.

B-1

The assessment for each parcel of property will be based upon each parcel's classification and the total number

of billing units attributed to that parcel. The following table reflects the proposed fire rescue assessment schedule.

RESIDENTIAL PROPERTY USE CATEGORIES	Rate Per Dwelling Unit			
Single Family	\$139.50			
NON- RESIDENTIAL PROPERTY USE CATEGORIES	Building Classification (in square foot ranges)	Commercial	Industrial/ Warehouse	Institutional
	< 1,999	\$245	\$57	\$601
	2,000 - 3,499	489	114	1,202
	3,500 - 4,999	856	200	2,101
	5,000 - 9,999	1,223	284	3,002
	10,000 - 19,999	2,445	569	6,001
	20,000 - 29,999	4,889	1,137	12,002
	30,000 - 39,999	7,333	1,704	18,002
	40,000 - 49,999	9,777	2,273	24,002
	> 50,000	12,221	2,841	30,003

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 829-X), as amended by Ordinance No. 829-X-00-A, the Initial Assessment Resolution (Resolution No. 95-251-96-A), the Final Assessment Resolution (Resolution No. 95-251-96-B), the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Fire Rescue Assessments, and the preliminary Assessment Roll for the upcoming fiscal year are available for inspection at the City Clerk's Office, City Hall, located at 10770 W. Oakland Park Boulevard, Sunrise, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2009, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

If you have any questions, please contact the City
Finance Department at (954) 746-3217, Monday through Friday
between 9:00 a.m. and 5:00 p.m.

CITY CLERK
OF SUNRISE, FLORIDA

